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PTO/SB/21 (04-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

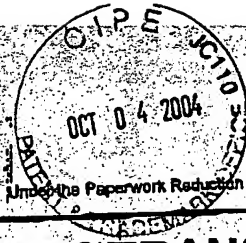
| | | |
|---|------------------------|-----------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/644,598 |
| | Filing Date | August 20, 2003 |
| | First Named Inventor | Anh H. Nguyen, et al. |
| | Art Unit | 3753 |
| | Examiner Name | Unknowns |
| Total Number of Pages in This Submission | Attorney Docket Number | AMAT/7874/CPI/ALD/PJS |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks 1. Petition to Revive Unintentionally Abandoned Application. 2. Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) [PTO/SB/64] 3. Executed Combined Declaration and Power of Attorney | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Peter L. Brewer, Registration No. 41,636 Moser, Patterson & Sheridan, L.L.P. | |
| Signature | | |
| Date | September <u>29</u> , 2004 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-----------------|------|----------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Peter L. Brewer | | |
| Signature | | Date | September <u>29</u> , 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2,608

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | 10/644,588 |
| Filing Date | August 20, 2003 |
| First Named Inventor | Anh H. Nguyen, et al. |
| Examiner Name | Unknown |
| Art Unit | 5753 |
| Attorney Docket No. | AMAT7674/CPUALD/PJS |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☐ Deposit Account:

Deposit Account Number: 50-1074/7874/CPUALD/PJS

Deposit Account Name: Applied Materials, Inc.

The Director is authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | 770 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 770) |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|---------------------|--------------|----------------|----------|
| 41 | 21 | 18 | 376 |
| Independent Claims | 3 | 0 | 0 |
| Multiple Dependents | | | 0 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | -- Release independent claims over original patent |
| 1205 | 18 | 2205 | 9 | -- Release claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 376)

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | 130 |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 2053 | 65 | Non-English specification | |
| 1812 | 2,520 | 2812 | 1,260 | For filing a request for reexamination | |
| 1804 | 920* | 2804 | 460* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 2805 | 920* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 2451 | 755 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | 1,330 |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or release) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1480 | 130 | 2480 | 65 | Petitions to the Commissioner | |
| 1807 | 60 | 2807 | 30 | Processing fee under 37 CFR 1.17 (c) | |
| 1808 | 180 | 2808 | 90 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 2821 | 20 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR § 1.128(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.128(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 2802 | 450 | Request for expedited examination of a design application | |

Other fee (specify) _____

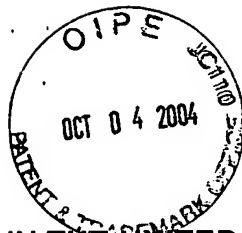
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 1,480)

SUBMITTED BY

| | | | | | |
|-------------------|------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Robert W. Mulvey | Registration No. (Attorney/Agent) | 25,436 | Telephone | (713) 623-4844 |
| Signature | | Date | | | (713) 623-4848 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anh H. Nguyen, *et al.*

Serial No.: 10/644,598

Confirmation No.: 5564

Filed: August 20, 2003

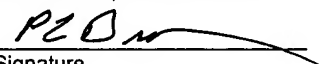
For: Electronically Actuated Valve

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Group Art Unit: 3753

Examiner: Unknown

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|---|--|
| CERTIFICATE OF MAILING 37 CFR 1.8 | |
| I hereby certify that this correspondence is being deposited on September 29, 2004 with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450. | |
| 9/29/04 Date |  Signature |

Dear Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicant files this Response to Notice to File Missing Parts (Form PTO-1533), issued by the Patent Office on September 17, 2003. The Office set a two month period for response, which expired on November 17, 2003. The Notice (copy enclosed) indicates that the application was filed without the filing fee and the oath or declaration.

Enclosed for filing in the above-referenced application is the Combined Declaration and Power of Attorney in response to the missing parts request.

Along with this filing, Applicant (Applied Materials, Inc.) is submitting a Petition to Revive Unintentionally Abandoned Application. A separate PTO Form 64 signed by Attorney Robert W. Mulcahy of the Applied Materials Patent Department is also being filed.

The Commissioner is hereby authorized to charge a total of \$2,608.00 as payment of the Petition to Revive and statutory basic filing fee and surcharge associated with this Response, or credit any overpayment. The charge is authorized to the deposit account number of the Applicant, Applied Materials, Inc.

Respectfully submitted,



B. Todd Patterson
Registration No. 37,906
Peter L. Brewer
Registration No. 41,636
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846

Attorneys for Applicant, Applied Materials, Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/644,598 | 08/20/2003 | Anh H. Nguyen | AMAT/7874/CPI/ALD/PJS |

CONFIRMATION NO. 5564

PATENT COUNSEL
 APPLIED MATERIALS, INC.
 Legal Affairs Department
 P.O. Box 450A
 Santa Clara, CA 95052

FORMALITIES LETTER



OC000000010891164

Date Mailed: 09/17/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 750 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$378** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1258** for a Large Entity

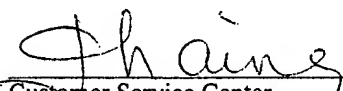
10/06/2004 JBALINAN 00000161 501074 10644598

| | |
|------------|-----------|
| 01 FC:1001 | 770.00 DA |
| 02 FC:1202 | 378.00 DA |
| 03 FC:1051 | 130.00 DA |

- \$750 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$378
 - \$378 for 21 total claims over 20 .

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE